

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

**IN RE:
DEEP MARINE HOLDINGS, INC.,
et al.**

Debtor

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* **CASE NO. 09-39313**
*
* **Jointly Administered**
* **Chapter 11**
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SEAGULL MARINE'S RESPONSE TO TRUSTEE'S OBJECTION

Seagull Marine, Inc. ("Seagull") submits this response to the Trustee's Objection to Scheduled Claim of Seagull Marine, Inc. ("Objection") filed by John Bittner as Liquidating Trustee for the Deep Marine Liquidating Trust, successor to the debtors in this action.

As reflected by the attached Proof of Claim, Notice of Perfection of Security Interest, Declaration of Jill Floyd, and the invoices attached hereto, Seagull has a valid secured claim against assets of this bankruptcy estate secured by DMT Sapphire in the amount of \$62,039.39. As the attachments reflect, Seagull supplied necessities to the DMT Sapphire for which it has not been paid.

Seagull further denies the claims of the Trustee that the Trustee is entitled to set off certain credits the Debtors allegedly have against the Seagull claim and further deny Seagull is the recipient of a preference payment.

WHEREFORE, Seagull Marine, Inc. prays that the Trustees' Objection be denied in its entirety and that Seagull Marine, Inc. be granted such relief as it is legally, equitable, and justly entitled.

Respectfully submitted,

s/ Pierre V. Miller II

Pierre V. Miller, II (17712)

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Attorney for Creditor,

Seagull Marine, Inc.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the above and foregoing pleading has been served on all parties or their counsel of record, either via ECF, facsimile transmission, hand delivery, or by placing a copy of same in the United States mail, postage prepaid and properly addressed, this 28th day of October, 2010.

s/ Pierre V. Miller II

Pierre V. Miller II